



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kosuke HARUKI
Title: ELECTRONIC APPARATUS AND REMOTE
CONTROLLER
Appl. No.: 10/762,803
Filing Date: January 22, 2004
Examiner: Unassigned
Art Unit: Unassigned

PETITION TO CORRECT FILING DATE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.10(d), applicants petition the Commissioner to accord a filing date for the above-identified application as of the actual date of deposit with the United States Postal Service (USPS).

Applicants properly deposited Express Mail Label No. EV 060045123 US and attached papers with the USPS, "Express Mail Post Office To Addressee", on January 20, 2004. However, the USPS incorrectly entered the "date in" as January 22, 2004.

08/12/2004 JADD01 00000029 500872 10762803

01 FC:1460 130.00 DA

Attached in support of applicants' Petition are true copies of the following:

- A. USPS Pickup Service Statement For Express Mail package EV 060045123 US showing a pickup date of January 20, 2004;
- B. Express Mail Label No. EV 060049598 US showing the date stamped by USPS dated January 20, 2004;
- C. Express Mail Label No. EV 060049598 US showing "Date in" as January 22, 2004;
- D. Application Transmittal Letter including Certificate of Mailing By Express Mail dated January 20, 2004;
- E. Return Postcard dated January 20, 2004; and
- F. Application Filing Receipt.

Attachment A indicates that the correspondence was deposited on January 20, 2004 with Express Mail Label Number EV 060045123 US. Attachment A is signed and dated by the USPS representative.

Attachment B indicates that the correspondence was deposited on January 20, 2004 with Express Mail Label No. EV 060049598 US showing the date stamped by USPS dated January 20, 2004;

Attachment C incorrectly indicates in the "Date in" column that the correspondence was deposited on January 22, 2004.

Attachment D indicates that "Express Mail Label No. EV 060045123 US" was properly placed on the Certificate of Express Mailing on a transmittal letter itemizing the separate papers and fee attached.

Attachments E and F reflect a filing date of January 22, 2004 based on the "Date in" of January 22, 2004 incorrectly entered by the USPS on Express Mail Label No. EV 060045123 US.

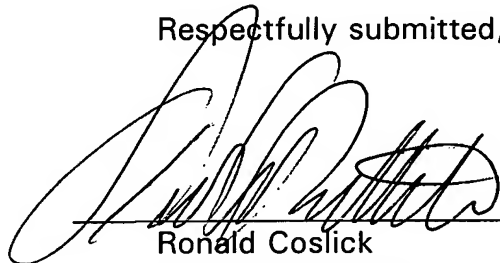
It is submitted that applicants have complied with the requirements of 37 CFR 1.10(d) in requesting a corrected filing date and it is respectfully requested that this Petition be granted. In the event this Petition is granted, it is also requested that a Corrected Filing Receipt be issued reflecting the correct filing date of January 20, 2004.

In accordance with 37 CFR 1.17(h), the Commissioner is hereby authorized to charge \$130 for the petition fee and any additional fees, or credit any overpayment, to Deposit Account No. 50-0872.

Respectfully submitted,

Dated:

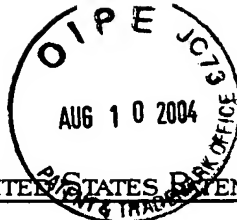
August 6, 2004


Ronald Coslick
Reg. No. 36,489

32933 for

Foley & Lardner LLP
Customer Number: 23392
Telephone: (310) 277-2223
Facsimile: (310) 557-8475

Attachment F



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/762,803	01/22/2004	2635	856	087828-0209	9	18	4

CONFIRMATION NO. 5396

23392
 FOLEY & LARDNER
 2029 CENTURY PARK EAST
 SUITE 3500
 LOS ANGELES, CA 90067

FILING RECEIPT



OC000000012462567

Date Mailed: 04/27/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Kosuke Haruki, Tokyo, JAPAN;

Assignment For Published Patent Application

KABUSHIKI KAISHA TOSHIBA;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN P2003-10860 01/20/2003

If Required, Foreign Filing License Granted: 04/27/2004

Projected Publication Date: 08/05/2004

Non-Publication Request: No

Early Publication Request: No

Title

Electronic apparatus and remote controller

Preliminary Class

340

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kosuke HARUKI
Title: ELECTRONIC APPARATUS AND
REMOTE CONTROLLER
Appl. No.: 10/762,803
Filing Date: January 22, 2004
Examiner: Unassigned
Art Unit: Unassigned

CERTIFICATE OF MAILING

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. § 1.8(a) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

1. Petition to Correct Filing Date and extra copy
2. Attachments A-F
3. Postcard

August 6, 2004
Date

Respectfully submitted,

Ronald Coslick 32933 for,
Ronald Coslick
Reg. No. 36,489

Foley & Lardner LLP
Customer Number: 23392
Telephone: (310) 277-2223
Facsimile: (310) 557-8475

United States Postal Service

**Pickup Service Statement for
Express Mail, Priority Mail, or Parcel Post**

2. Customer Name and Address (No., Street, Ste. No., City, and State)

FOLEY & LARDNER
 2029 Century Park East, 35th Floor
 Los Angeles, California 90067-8000

3.

Express Mail

Quantity

Priority Mail

Quantity

Parcel Post

Quantity

4. Custom Design Agreement (CDA)

CDA Number

5. Method of Payment

☒ Corporate Account

No.

☐ Federal Agency Account

No.

☐ Meter Strip or Stamps
(Apply fee in Item 1 above)**6. Express Mail Label Numbers**

Item No.	Express Mail Label Number	Item No.	Express Mail Label Number	Item No.	Express Mail Label Number
1	EV060045123	6		11	
2		7		12	
3		8		13	
4		9		14	
5		10		15	

7. Customer Signature *[Signature]* 8a. USPS Signature *[Signature]* 8b. Date of Pickup 8c. Time of Pickup

PS Form 5541, August 1996

3 - Customer Copy

Attachment B



EV 060045123 US



UNITED STATES POSTAL SERVICE®

POST OFFICE
TO ADDRESSEE

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>		Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Date In Mo. Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee		Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature	
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$		<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article contained in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.			
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. X900152				Federal Agency Acct. No. or Postal Service Acct. No.			
FROM: (PLEASE PRINT) PHONE () FOLEY & LARDNER 2029 CENTURY PARK E STE 3500 LOS ANGELES CA 90067-3021				TO: (PLEASE PRINT) PHONE () <i>m/s Patent Application</i> <i>Commissioner for Patents</i> <i>P.O. Box 1450</i> <i>Alexandria, Virginia 22313-1450</i>			
L 087828-0209 D. Blumenthal PRESS HARD. You are making 3 copies.				FOR PICKUP OR TRACKING CALL 1-800-222-1811			
www.usps.com							



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UNITED STATES POSTAL SERVICE®

**POST OFFICE
TO ADDRESSEE**



EV 060045123 US

ORIGIN (POSTAL USE ONLY)

Postage Code	Day of Delivery	Flat Rate Envelope
1220	<input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	<input type="checkbox"/>
Date In	Postage	Return Receipt Fee
1-22-01	\$ 17.85	
Mo Day Year		
Time In		
12:00		
AM PM		
Weight		
1.7		
lbs ozs		
No Delivery		
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

CUSTOMER USE ONLY

METHOD OF PAYMENT: Express Mail Corporate Act. No. **X900152**

FROM: (PLEASE PRINT) **FOLEY & LARONER**

2029 CENTURY PARK E STE 3500

LOS ANGELES CA 90067-3021

PHONE: **213-350-3500**

TO: (PLEASE PRINT) **M/S Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

FOR PICKUP OR TRACKING CALL 1-800-222-1811 **www.usps.com**

EMS

Customer Copy
Label 11-F August 2000

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void. If waiver of signature is requested, it must be made without obtaining signature of addressee or authorized agent. If delivery employee judges that article can be left in secure location and authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday

Federal Agency Act. No. or Postal Service Act. No.

TO: (PLEASE PRINT) **M/S Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

FOR PICKUP OR TRACKING CALL 1-800-222-1811 **www.usps.com**

EMS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 087828-0209

In re patent application of

Kosuke HARUKI

Group Art Unit: Unassigned

Appl. No. Unassigned

Examiner: Unassigned

Filing Date: CONCURRENTLY HEREWITH

For: ELECTRONIC APPARATUS AND REMOTE CONTROLLER

CERTIFICATE OF MAILING BY EXPRESS MAIL

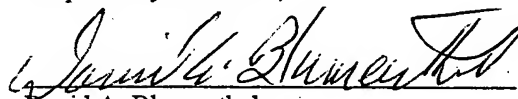
Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as Express Mail (Express Mail Label No. EV060045123US) under 37 C.F.R. § 1.10 on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

1. Utility Patent Application Transmittal
2. Application Data Sheet
3. Preliminary Amendment
4. Specification, Claims(s) and Abstract (33 pages)
5. Formal Drawings (9 sheets, Figs. 1-10)
6. Executed Declaration and Power of Attorney (4 pages)
7. Assignment Recordation Cover Sheet
8. Assignment of the invention
9. Information Disclosure Statement
10. Form PTO/SB/08 with 1 copy of reference plus English counterpart application
11. Claim for Convention Priority (Priority document no. 2003-010860)
12. Check No. 815971 (\$896.00) for filing fee (\$856) and assignment fee (\$40)
13. Postcard

Respectfully submitted,


David A. Blumenthal
Reg. No. 26,257

January 20, 2004

Date

Foley & Lardner
2029 Century Park East, 35th Floor
Los Angeles, CA 90067-3021
Telephone: 310-277-2223
Facsimile: 310-557-8475

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kosuke HARUKI
Title: ELECTRONIC APPARATUS AND
REMOTE CONTROLLER
Appl. No.: Unassigned
Filing Date: CONCURRENTLY HEREWITH
Examiner: Unassigned
Art Unit: Unassigned

UTILITY PATENT APPLICATION
TRANSMITTAL

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the nonprovisional utility patent application of:

Kosuke HARUKI
Tokyo, Japan

☐ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- ☒ Specification, Claim(s), and Abstract (33 pages).
- ☒ Formal drawings (9 sheets, Figures 1-10).
- ☒ Declaration and Power of Attorney (4 pages).
- ☒ Assignment of the invention to KABUSHIKI KAISHA TOSHIBA.
- ☒ Assignment Recordation Cover Sheet.
- ☒ Preliminary Amendment

- ☐ Request for application not to be published with certification under 35 USC 122(b)(2)(B)(i).
- ☒ Information Disclosure Statement.
- ☒ Form PTO/SB/(1) listed reference(s) plus English counterpart application.
- ☒ Application Data Sheet (37 CFR 1.76).
- ☒ Claim for Convention Priority.

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00 =	\$770.00
Total Claims:	18	- 20	= 0	x \$18.00 =	\$0.00
Independents:	4	- 3	= 1	x \$86.00 =	\$86.00
If any Multiple Dependent Claim(s) present:			+	\$290.00 =	\$0.00
				SUBTOTAL: =	\$856.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):				=	\$0.00
				TOTAL FILING FEE: =	\$856.00
Assignment Recordation Fee:			+	\$40.00 =	\$40.00
TOTAL FEE				=	\$896.00

- ☒ A check in the amount of \$896.00 to cover the filing fee and fee for recordation of Assignment is enclosed.
- ☐ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated
below.

Respectfully submitted,

Date January 20, 2004

FOLEY & LARDNER
Customer Number: 23392
Telephone: (310) 975-7895
Facsimile: (310) 557-8475

By



David A. Blumenthal
Attorney for Applicant
Registration No. 26,257

Attachment E

ELECTRONIC APPARATUS AND REMOTE CONTROLLER

Inventor(s): Kosuke HARUKIDkt. No. 087828-0209

Appl. No.: Unassigned DABL/cf (1/20/04)

1. Utility Patent Application Transmittal
2. Application Data Sheet
3. Preliminary Amendment
4. Specification, Claims(s) and Abstract (33 pages)
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11. Claim for Convention Priority
(Priority document no. 2003-010860)
12. Check No. 815971 (\$896.00) for filing fee (\$856) and assignment fee (\$40)
13. Certificate of Mailing by Express Mail (EV060045123US)

22264 U.S. PTO
10/762803



Date mailed: 1/20/04

Commissioner for Patents:

Please acknowledge receipt of the above-identified documents by applying the U.S. Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,
Foley & Lardner